

REMARKS

By way of the present response, claims 1, 7, 13, 22, 26, and 39 are amended. Claims 1-15 and 22-46 currently are pending. In view of the above amendments and the following remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of the claims.

Applicant notes with appreciation the Examiner's continued indication of allowable subject matter with respect to claims 25 and 33. However, for the reasons advanced below, it is respectfully submitted that all pending claims 1-15 and 22-46 are allowable.

On page 2 of the Action, the Examiner objects to the invention title. In response, the title is amended to recite "Light-Emitting Apparatus with Improved Bank Structure," which is believed indicative of the invention to which the claims are directed. In light of this change, the Examiner is requested to withdraw the objection to the title.

The Office Action includes a rejection of claims 1, 2, 4, 7, 9, 26, 28, 31, 34, 36, 39, 41 and 43 under 35 U.S.C. § 102(a) as allegedly being anticipated by Daigo (JP2002-231445). To the extent that the Examiner may consider this rejection to apply to the amended claims, Applicant respectfully traverses, as the Daigo publication fails to describe all the limitations set forth in amended independent claims 1, 7, 26 and 39, and hence also the dependent claims.

Each of claims 1, 7, 26 and 39 now recite, among other things, that a material for forming the second bank is an insulating material. Applicant contends that the Daigo publication fails to describe this feature as presently recited in the claimed combinations of features. Hence, Applicant respectfully submits that at least independent claims 1, 7, 26 and 39 are not anticipated by the Daigo publication.

Claims 1-12, 26-29, 31 and 34-46 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Yamagata et al. (U.S. 2003/0201443). In response, Applicant amends independent claims 1, 7, 26 and 39. Amended claims 1 and 7 recite, among other features, the feature of "a light-emitting device formed over the substrate having a first electrode, an organic compound layer in contact with the electrode surface, and a second electrode" Amended claims 26 and 39 recite *inter alia* the feature of "a light emitting layer comprising an organic material formed in contact with the first electrode surface" It is respectfully

submitted that these features, as recited in amended claims 1 and 7, and amended claims 26 and 39, are not described in the Yamagata et al. publication (e.g., see paragraph 0053 and Figure 1E). Accordingly, Yamagata et al. does not anticipate these claims.

Additionally, claims 5, 11, 37 and 45 recite that irregularities on a first electrode surface in contact with the organic compound layer. In contrast, Yamagata et al. does not appear to describe a first electrode surface in contact with the organic compound layer. Thus, it is believed claims 5, 11, 37 and 45 recite subject matter defining additional points of distinction not disclosed in the Yamagata et al. publication.

The Office action also includes a rejection of claims 1, 5-7, 11-15, 22-24, 26, 30, 32, 37-39, 45 and 46 under 35 U.S.C. § 103(a), as being obvious over Kobayashi et al. in view of Yamagata et al. As pointed out above, claims 1, 7, 26 and 39 are amended to distinguish over Yamagata et al. Hence, even if one were to consider the proposed modification of Kobayashi et al., in which a spin coat of an organic insulating film is applied before providing the organic compound layer, as described in Yamagata et al., the proposed combination would not have resulted in the combination of features recited in claims 1, 7, 26 and 39 because Yamagata et al. teaches to coating the entire electrode surface under the organic layer with the insulator. Additionally, claims 13 and 22 are now amended to recite the feature of “a light-emitting device formed over the substrate having a first electrode, an organic compound layer in contact with the first electrode surface, and a second electrode.” For reasons analogous to those discussed above, claims 13 and 22 are believed patentable. Hence, the Yamagata et al. patent fails to cure the acknowledged deficiency of Kobayashi. Accordingly, a *prima facie* case of obviousness does not exist with respect to these documents.

The remaining rejected claims are allowable at least because they each depend from one of allowable independent claims 1, 7, 13, 22, 26 and 39, and further for the additional features recited.

In view of the forgoing, the present application is now believed in condition for allowance. Prompt notification of the same is earnestly solicited.

Respectfully submitted,

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